



COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

POST COMMISSION MEETING

**Commission on POST
860 Stillwater Road, Suite 100
West Sacramento, CA 95605**

Thursday, October 26, 2017

ACTION SUMMARY

EDMUND G. BROWN JR.
GOVERNOR

XAVIER BECERRA
ATTORNEY GENERAL

CALL TO ORDER

Commission Chair Joyce Dudley called the meeting to order.

COLOR GUARD AND FLAG SALUTE

The Color Guard was provided by the Vacaville Police Department. The pledge of allegiance was led by Commissioner Dudley.

MOMENT OF SILENCE HONORING THE OFFICERS KILLED IN THE LINE OF DUTY

A moment of silence was held in honor of those peace officers who have been killed in the line of duty since the last regular Commission Meeting.

- Deputy Robert Rumfelt, Lake County Sheriff's Department
- Deputy Robert French, Sacramento County Sheriff's Department

ROLL CALL OF COMMISSION MEMBERS

PRESENT

Rick Braziel
Lai Lai Bui-Little
Thomas Chaplin
Richard DeLaRosa
Barry Donelan
Robert Doyle
Joyce Dudley
Laren Leichliter

PRESENT

Stephen Lindley
Geoff Long
John McMahon
Jethroe Moore II
James O'Rourke
Batine Ramirez
Laurie Smith
Walter Vasquez

ABSENT

A calling of the roll reflected a quorum was present.

INTRODUCTION OF POST ADVISORY COMMITTEE CHAIR, COMMISSION LEGAL COUNSEL, AND EXECUTIVE DIRECTOR

Commissioner Dudley introduced the POST Advisory Committee Chair Randy Waltz, POST Legal Counsel William “Toby” Darden, and Executive Director Manny Alvarez.

WELCOMING ADDRESS

John Carli, Chief, Vacaville Police Department, made welcoming remarks.

PUBLIC COMMENT PERIOD

Commissioner Dudley opened the floor for public comment. No one asked to address the Commission.

EXECUTIVE DIRECTOR COMMENTS

Commissioner Dudley introduced Executive Director Manny Alvarez who addressed the Commission.

APPROVAL OF ACTION SUMMARIES AND MINUTES

A. Approval of the action summaries and minutes of the following meetings:

- Action Summary – June 22, 2017
- Meeting Minutes – June 22, 2017

MOTION – Bui, Second – Doyle, and carried unanimously to approve the action summary and meeting minutes of the June 22, 2017 Commission Meeting.

EMERGING TRENDS

Commissioner Dudley called for a report on Emerging Trends.

B. 1. Report on the Emerging Trends at the Executive Level

A report was provided by Catherin Bacon-Davis, Senior Information Systems Analyst, Learning Technology Resource Bureau, Member of the IMPACT Team, based on the information obtained from representatives of the California State Sheriff’s Association and the California Police Chiefs Association.

CONSENT

C. Approval of the Consent Agenda

Commissioner Dudley asked if the Commission would like presentations on any Consent Items. She announced presentations would be provided on:

Item 5. Report on the Proposal to Remove First Aid Training from the POST Basic Academy Curriculum

Commissioner Dudley called upon Julie Gorwood, Law Enforcement Consultant, and Assistant Executive Director Maria Sandoval, to present on the proposal to remove First Aid Training from the Regular Basic Course.

The change would require students to obtain the training as a prerequisite or prior to achieving a POST Basic Certificate. The change would allow the insertion of the following training programs into the basic academy: Procedural Justice and Implicit Bias; De-Escalation; and Rifle courses.

Item 7. Report on Graduate Level College Credit for Command College

Commissioner Dudley called upon Executive Director Manny Alvarez to provide an update on the presentation. Mr. Alvarez explained the representative from the University of San Diego (USD) was unable to attend this meeting due to illness and the Commission would hear the presentation at the February 2018 Commission meeting.

Item 8. Report on Status of the POST Organizational Analysis Project

Commissioner Dudley called upon Joe Sampson, POST, Law Enforcement Consultant, and Rosette Nguyen, Mission Consulting, to provide an update on the Organizational Analysis Project.

Item 11. Report on Principled Policing

Commissioner Dudley called upon R.C. Smith, Bureau Chief, Basic Training Bureau, to provide a presentation on Principled Policing Project.

Item 12. Report on the Proposed Realignment of POST Reimbursement Plans

Commissioner Dudley called upon Scott Loggins, Assistant Executive Director, to provide a presentation on the proposed realignment of POST Reimbursement Plans.

Item 13. Report on Revision to Regulation 1005, and Procedures D – 14 – District Attorney Training

Commissioner Dudley called upon Al Benitez, POST, Law Enforcement Consultant, to provide a presentation on the Proposed Changes to Regulation 1005 and Procedures D-14, regarding District Attorney Training.

The Commission heard presentations and held discussions on the items. At the conclusion of the presentations, Commissioner Dudley called for a **MOTION** to approve the Consent Agenda.

MOTION – Brazier, Second – Chaplin, carried unanimously to approve the Consent Agenda.

FINANCE COMMITTEE MEETING

D. Financial Report

Commissioner Long provided a brief overview of the Finance Committee meeting held on October 25, 2017 in West Sacramento.

Commissioner Long called on Merrill Domondon, Budget Officer, Administrative Service Bureau, to speak to some of the material presented during the Finance Committee Meeting.

Commissioner Dudley called for a **MOTION** to approve the Finance Committee Report.

MOTION – Chaplin, Second – Lechlitter, carried unanimously to approve the Finance Committee Report.

BASIC TRAINING BUREAU

E. Report on Proposed Revisions to Commission Regulations 1001, 1005, 1008, and Procedures D-10 and D-11, Qualification and Basic Course Waiver Requirements

Commissioner Dudley called upon Dr. Shelley Spilberg, Research Supervisor, Basic Training Bureau, to present on the proposed changes to Regulations 1001, 1005, 1008, and Procedures D-10 and D-11 regarding Qualification and Basic Course Waiver Requirements.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz offered additional input on the item.

Commissioner Dudley called for a **MOTION** to approve the Proposed Revisions to Regulations 1001, 1005, 1008, and Procedures D-10 and D-11 regarding Qualification and Basic Course Waiver Requirements.

MOTION – Doyle, Second – Moore, Oppose - Chaplin, carried unanimously to authorize the Executive Director to pursue changes to Regulations 1001, 1005, 1008, and Procedures D-10 and D-11 regarding Qualification and Basic Course Waiver Requirements through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

EXECUTIVE OFFICE

F. Report on POST Administrative Manual (PAM) Revision Project

The POST Administrative Manual (PAM) has been created to house all POST regulations within the Publications section of the POST Internet Website, and has to be continually updated to accurately reflect the current regulations which have been approved by the Office of Administrative Law (OAL) and are contained in the California Code of Regulations (CCR).

Restructuring the POST Publications page (layout of the regulations), by removing the lettered labeling of the PAM, and creating links to the official CCR pages will create clarity and consistency with current regulations on the POST Internet Website.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz offered no additional input on the item.

Commissioner Dudley called for a **MOTION** to approve POST to directly reference POST Regulations to the California Code of Regulations referencing.

MOTION – Leichliter, Second – Donelan, carried unanimously to authorize the Executive Director to pursue changes to directly reference POST Regulations to the California Code of Regulations.

G. Report on Proposed Changes to Regulation 1009: Academy Instructor Certificate Program (AICP)

Requirement to instruct in Regular Basic Courses, Certified Academy Instructors must complete the 40-hour Academy Instructor Certification Course (AICC) or successfully complete the AICC Equivalency Process. Once completed, a triennial recertification 24-hours of teaching and 8 hours of unspecified “professional development” is required. Academy Directors and Modular Format Coordinators have determined that the triennial recertification requirement for Certified Academy Instructors is burdensome and unnecessary.

Removal of this requirement would keep Regulation 1009 in line with Regulation 1070 - Minimum Training Standards for Instructors of Post- Certified Specialized Training.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz offered no additional input on the item.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to Regulation 1009, Academy Instructor Certification Program (AICP).

MOTION – Smith, Second – Doyle, carried unanimously to authorize the Executive Director to pursue changes to POST Regulation 1009: Academy Instructor Certificate Program (AICP) through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

MANAGEMENT COUNSELING, LEADERSHIP DEVELOPMENT BUREAU

H. Report on Proposed Revisions to Commission Regulation 1005 - Attending Supervisory and Management Courses

The timelines for officers attending the required Supervisor and Manager courses noted in Commission Regulation 1005, sections (b) and (c), have been misinterpreted and misconstrued by some agencies due to the way the sections are currently worded.

The proposed language revision to these sections will clarify the original intent of the timelines required for attending the Supervisor and Manager courses, making the sections more easily understood. The sections should now be even more clear, as the associated language now focuses on exactly what is required via regulation, and not necessarily what "may" be allowed.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to Regulation 1005, Attending Supervisory and Management Courses.

MOTION – Bui, Second – Chaplin, carried unanimously to authorize the Executive Director to pursue changes to POST Regulation 1005: Attending Supervisory and Management Courses through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

STANDARDS, EVALUATIONS, AND RESEARCH BUREAU

I. Report on Proposed Changes to Regulation 1953 - Peace Officer Selection Standards for Interim Police Chiefs

Interim police chiefs inherently have limited terms with hiring departments. Current regulation requires a complete background investigation each time the chief is appointed to a new department, regardless of when the previous background was completed. Commission Regulation 1953 is being revised to provide a more streamlined process for the hiring of these limited term interim chiefs. The proposed regulation would allow for the hiring authority to perform a complete background or an updated background, at their discretion, based on the interim chief having undergone a complete background investigation within a certain period of time.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz provided additional comments on this item.

The Commission discussed this item further.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to Regulation 1953, Peace Officer Selection Standards for Interim Police Chiefs.

MOTION – Doyle, Second – Braziel, Opposed – Lindley and Long, carried unanimously to authorize the Executive Director to pursue changes to POST Regulation 1953 – Peace Officer Selection Standards for Interim Police Chiefs through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

J. Report on an Amendment of the Basic Course Test Management and Security Protocols 2017, and Commission Regulations 1005, 1007, 1008, and 1052

In response to continually evolving training trends, some basic course presenters now have students, and in some cases staff members, wear body-worn cameras in the training environment to become acclimated to their use and functions.

In order to ensure the continued confidentiality of POST-developed test material, revisions have been made to POST Administrative Manual Regulations 1005, 1007, 1008, 1052, and the Test Management and Security Protocols 2017.

Examples of those revisions include:

- Clarifying that body-worn cameras are not an acceptable method for presenters to utilize when recording a scenario test session
- Adding a requirement that body-worn cameras capable of recording be removed prior to a comprehensive or scenario test session

Additional revisions have been made for the purpose of clarity in test administration and security requirements and consistency in language.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz provided no additional comments on this item.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to the Basic Courses Test Management and Security Protocols 2017, and Commission Regulations 1005, 1007, 1008, and 1052.

MOTION – Donelan, Second – Leichter, carried unanimously to authorize the Executive Director to pursue changes to the Basic Courses Test Management and Security Protocols 2017, and Commission Regulations 1005, 1007, 1008, and 1052 through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

K. Report on Proposed Changes to Peace Officer and Public Safety Dispatcher Selection Standards

The POST Peace Officer and Public Safety Dispatcher Selection Requirements are contained in Commission Regulations 1950-1960. The requirements underwent a complete revision in 2009 to create a more cohesive and comprehensive set of regulations consistent with state laws and to align peace officer and public safety dispatcher requirements.

Commission Regulations 1951 through 1960 are being revised to clarify the medical/psychological evaluation reporting requirements and the continuing professional education (CPE) requirements for screening psychologists, properly align the public safety dispatcher and peace officer selection requirements, and update references to POST documents within the regulations.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz provided no additional comments on this item.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to the Proposed Changes to Peace Officer and Public Safety Dispatcher Selection Standards and Commission Regulations 1951 - 1960.

MOTION – Chaplin, Second – Lindley, carried unanimously to authorize the Executive Director to pursue changes to the Peace Officer and Public Safety Dispatcher Selection Standards, and Commission Regulations 1951 – 1960, through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

TRAINING PROGRAM SERVICES BUREAU

L. Report on the Proposed Changes to Regulation 1011 - Professional Certificate Requirements for Supervisors and Managers

POST staff discovered a technical inconsistency in regulation with respect to the requirements for department heads to qualify for Supervisory and Management professional certificates.

Commissioner Dudley asked if the Advisory Committee had discussed the item and if they had input to provide to the Commission. Chair Waltz provided no additional comments on this item.

Commissioner Dudley called for a **MOTION** to approve the proposed changes to the Proposed Changes to Regulation 1011 - Professional Certificate Requirements for Supervisors and Managers.

MOTION – Doyle, Second – Long, carried unanimously to authorize the Executive Director to pursue changes to the Regulation 1011 - Professional Certificate Requirements for Supervisors and Managers, through the Office of Administrative Law process, if no public hearing is requested, the changes will become effective April 1, 2018.

COMMITTEE REPORTS

M. Advisory Committee

Randy Waltz, Chair of the Advisory Committee, provided a report on the results of the Advisory Committee meeting held on Wednesday, October 25, 2017, in West Sacramento, CA.

Advisory Chair Waltz indicated other than the input shared during the Commission meeting, the committee moved to support the remainder of the agenda.

Commissioner Dudley asked for a **MOTION** to approve the Advisory Committee Report.

MOTION – Chaplin, Second – Moore, carried unanimously to approve the Advisory Committee's report.

CORRESPONDENCE

N. Correspondence

Commissioner Dudley reviewed the correspondence from POST.

OLD BUSINESS

O. Old Business

Commissioner Dudley called for any Old Business for discussion.

No Old Business items were brought forward.

NEW BUSINESS

P. New Business

Commissioner Dudley called for any New Business for discussion

Commissioner Braziel asked for a list of POST leadership development courses and who is eligible to attend the courses. He asked staff to include which courses are recommended, which are mandated and which are optional courses. Commissioner Braziel directed staff to review which leadership courses are available to dispatchers. He emphasized dispatchers should be considered for leadership courses much like peace officers.

Commissioner Chaplin asked POST to research and provide an informational briefing on the de-certification of law enforcement professionals. He asked for a report to the Commission at the February meeting.

Commissioner Dudley thanked Commissioners Braziel and Chaplin for their requests.

FUTURE COMMISSION DATES

Q. Future Commission Meetings will be held:

- February 7 – 8, 2018, Westin – Los Angeles Airport, Los Angeles
- June 20 – 21, 2018, POST, West Sacramento
- October 17 – 18, 2018, POST, West Sacramento

Commissioner Dudley announced the Commission would meet in Closed Session.

Break: 1:46

Reconvene in closed session: 1:52

CLOSED SESSION – 1:52 p.m.

RECONVENE GENERAL SESSION – 2:10 p.m.

Commissioner Dudley called the meeting to order in open session and asked Mr. Darden to brief attendees on the items discussed in Closed Session.

Mr. Darden explained the Commission was briefed and discussed litigation and personnel matters.

Commissioner Dudley – expressed gratitude to Commissioners Hutchens and Leichliter for their participation on the POST Commission before adjourning the meeting.

ADJOURNMENT – 2:15 p.m.

Respectfully Submitted,

Connie Paoli

Administrative Assistant to the Executive Director